

## **EXHIBIT D**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION GULFPORT

REPUBLICAN NATIONAL COMMITTEE;  
MISSISSIPPI REPUBLICAN PARTY; JAMES  
PERRY; and MATTHEW LAMB,

Plaintiffs,

v.

JUSTIN WETZEL, *in his official capacity as the clerk and registrar of the Circuit Court of Harrison County*; TONI JO DIAZ, BECKY PAYNE, BARBARA KIMBALL, CHRISTENE BRICE, and CAROLYN HANDLER, *in their official capacities as members of the Harrison County Election Commission*; and MICHAEL WATSON, *in his official capacity as the Secretary of State of Mississippi*,

Defendants,

VET VOICE FOUNDATION and  
MISSISSIPPI ALLIANCE OF RETIRED  
AMERICANS,

Intervenor-Defendants.

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LIBERTARIAN PARTY OF MISSISSIPPI,

Plaintiff,

v.

JUSTIN WETZEL, *in his official capacity as the clerk and registrar of the Circuit Court of Harrison County, et al.*,

Defendants.

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No. 1:24-cv-00025-LG-RPM  
(Lead Case)

**DECLARATION OF  
MATTHEW LAMB**

No. 1:24-cv-00037-LG-RPM  
(Consolidated Case)

I, Matthew Lamb, declare:

1. I am over the age of eighteen and I have personal knowledge of the following facts. If called as a witness, I could and would competently testify thereto.

2. I am a resident of Lucedale, Mississippi and a registered Mississippi voter. I will vote in the November 2024 general election.

3. I am the District 4 Commissioner for the George County Election Commission. As a member of the Commission, I am responsible for running the County's general and special elections, which includes preparing and printing ballots, hiring and training poll workers, compiling precinct results on election day, and certifying election results.

4. Federal law provides for Election Day to take place on the Tuesday after the first Monday in November.

5. I plan to conduct the George County election in accordance with federal law, which provides that Election Day for the upcoming general election will take place on November 5, 2024.

6. Section 23-15-637(1)(a) of the Mississippi Code provides that absentee ballots must be postmarked by Election Day and received by the registrar no later than five business days after Election Day, or up through November 12 for the upcoming election.

7. The handbook for county election officials provided by the Mississippi Secretary of State instructs commissioners to count ballots that are received up to five business days after Election day.

8. As a public officer, I swore an oath to "faithfully support the Constitution of the United States and the Constitution of the State of Mississippi, and obey the laws thereof."

9. Mississippi's law forces me to choose between following Congress' Election Day statutory deadline or Mississippi's post-election deadline. Because the federal and state law conflict, I face an impossibility in enforcing the law.

10. Mississippi law empowers the Governor to remove county officers that fail to comply and enforce state law. If I follow the federal Election Day deadline, I face removal from my position as county commissioner.

11. Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed: March 25, 2024.

Matthew Lamb